

## 1. Introduction

- 1.1. High Offley Parish Council has prepared a draft Neighbourhood Plan (NP) proposing new development that reflects the needs of the community. In preparing a draft Plan, High Offley Parish Council carried out a community consultation identifying key priorities for the Neighbourhood Plan to address, and as a result a number of planning policies and proposals have been created.
- 1.2. The Neighbourhood Plan will soon be undergoing a pre-submission consultation after this screening assessment has been completed. Following this consultation, the Parish Council will be preparing to submit the draft Neighbourhood Plan to the Borough Council, to proceed to independent Examination and subsequent Referendum.
- 1.3. In order for Neighbourhood Plans to proceed to referendum, they must meet the Basic Conditions set out in the Town and Country Planning Act 1990 Act<sup>1</sup>, which was inserted by the Localism Act 2011. The Borough Council needs to be satisfied that the Basic Conditions have been met. The Neighbourhood Plan must:
  - have regard to national policy
  - have special regard to listed buildings (where relevant)
  - have special regard to conservation areas (where relevant)
  - contribute to sustainable development
  - be in general conformity with strategic policies in the Local Plan
  - not breach EU obligations
- 1.4. In satisfying the basic conditions High Offley Parish Council, who is the responsible body for preparing the Neighbourhood Plan, will be required to prepare a Basic Conditions Statement on submission to the Borough Council to demonstrate how the draft Plan meets the basic conditions set out above alongside the final Neighbourhood Plan.

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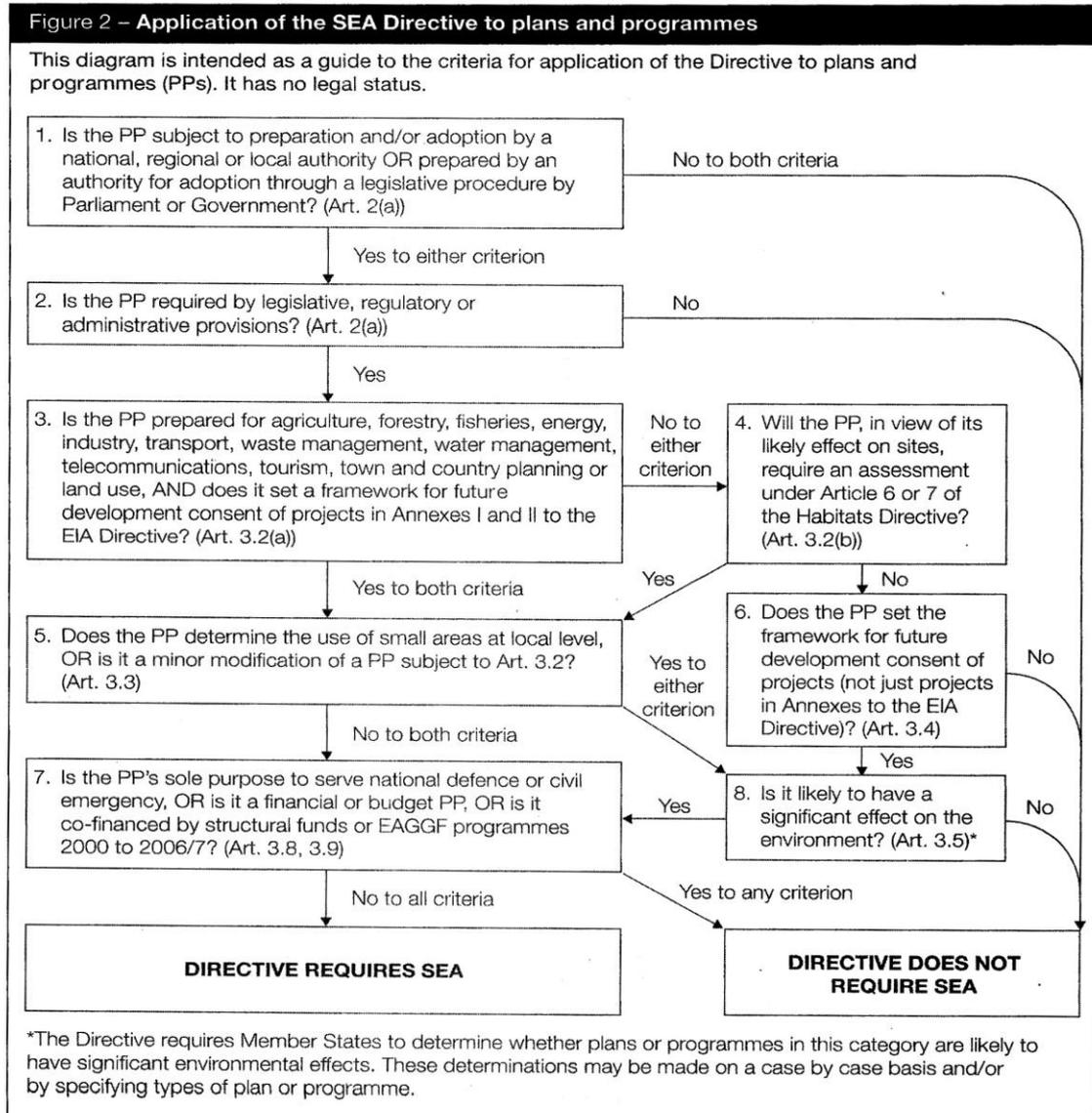
<sup>1</sup> Paragraph 8 of Schedule 4B.

## **2. Compatibility with EU obligations**

- 2.1. To meet the basic conditions the draft High Offley Neighbourhood Plan must not breach EU obligations.
- 2.2. The Borough Council has prepared this screening assessment to determine whether the content of the draft High Offley Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and / or a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 2.3. [The National Planning Practice Guidance](#) offers guidance on when a SEA may be required.
- 2.4. Neighbourhood Planning Regulations requires Neighbourhood Plans to submit either a statement of reasons; environmental report; or an explanation of why the plan is not subject to the requirements of the SEA Directive, to accompany a Neighbourhood Plan when it is submitted to a local planning authority.
- 2.5. Providing there are no significant changes to the proposals and policies of the current draft Neighbourhood Plan, this screening assessment undertaken by Stafford Borough Council fulfils this requirement to accompany the final submission of the Neighbourhood Plan.
- 2.6. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in negative significant effects occurring on protected European Sites (Natura 2000 sites), as a result of the Plan's implementation.

### 3. SEA Screening

3.1. The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



3.2. The questions below in Table 1 are drawn from the diagram above which sets out how the SEA Directive should be applied when considering a draft plan.

**Table 1 SEA Screening Process**

Stage	Yes or No	Reason
<p><b>1. Is the Neighbourhood Plan (NP) subject to preparation and/or adoption by a national, regional or local authority, OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</b></p>	<p>Yes (go to question 2).</p>	<p>The preparation and adoption of the Neighbourhood Plan (NP) is regulated under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The draft NP is prepared by High Offley Parish Council (as the 'relevant body') and will be 'made' by Stafford Borough Council as the local planning authority.</p> <p>The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) (Amendment) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012.</p>
<p><b>2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))</b></p>	<p>No (go to question 3).</p>	<p>Whilst the NP is not a requirement and is optional under the provisions of the Town and Country Planning Act as amended by the Localism Act 2011, it will, if 'made', form part of the Development Plan. It is therefore important and necessary to answer the following questions to determine whether the policies of the draft NP are likely to have significant environmental effects and if further environmental assessments will be required under the EU Directive.</p>
<p><b>3. Is the NP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))</b></p>	<p>Yes (go to question 5).</p>	<p>The draft NP is being prepared for town and country planning, and land use purposes.</p> <p>As such, the draft NP contains a framework for future development consent of development projects, which may fall under section 10 of the Annex II of the EIA Directive.</p>

<b>4. Will the NP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))</b>		See HRA screening below.
<b>5. Does the NP determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (Art. 3.3)</b>	Yes (go to question 8).	Yes. The Neighbourhood Plan includes seven sites as part of the defined Woodseaves settlement boundary for housing and a new car park, together with a further nine sites across the rural area which supports the provision of new development for housing, telecommunication and canal related activities.
<b>6. Does the NP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4)</b>		Not applicable.
<b>7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)</b>	No	Not applicable.
<b>8. Is it likely to have a significant effect on the environment? (Art 3.5)</b>	No	The draft NP is unlikely to have any significant effect on the environment. Please see Appendix 1 and Appendix 2 which provide a detailed assessment to support this conclusion.

- 3.3. To decide whether the Plan might have significant environmental effects (stage 8), its potential scope should be assessed against the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004. The criteria from Schedule 1 of the Regulations are set out below.

**1. The characteristics of plans and programmes, having regard, in particular, to**

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

**2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to**

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
- special natural characteristics or cultural heritage,
- exceeded environmental quality standards or limit values,
- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

- 3.4. Appendix 1 and 2 apply the above criteria to measure any likely significance effects on the environment arising from the draft High Offley NP.

**SEA Screening Outcome**

- 3.5. As a result of the assessment above, it is considered unlikely that any significant environmental effects will occur from the implementation of the High Offley NP that were not considered and dealt with by the Sustainability Appraisal of the Plan for Stafford Borough (PFSB). As such the High Offley NP does not require a full SEA to be undertaken.

## 4. HRA Screening

4.1. The box below illustrates the stages of HRA related to assessing potential impacts from planning policy documents.

### *Stage 1 Screening*

- Identify international sites in and around the plan / strategy area
- Examine conservation objectives
- Identify potential effects on Natura 2000 sites
- Examine other plans and programmes that could contribute to 'in combination' effects
- If no effects are likely - report that there is no significant effect. If effects are judged likely or uncertainty exists - the precautionary principle applies, proceed to stage 2.

### *Stage 2 Appropriate Assessment*

- Collate information on sites and evaluate impact in light of conservation objectives
- Consider how plan 'in combination' with other plans and programmes will interact when implemented (the Appropriate Assessment)
- Consider how the effect on integrity of sites could be avoided by changes to the plan and the consideration of alternatives
- Develop mitigation measures (including timescale and mechanisms)
- Report outcomes of AA and develop monitoring strategies. If effects remain, following the consideration of alternatives and development of mitigation measures, proceed to stage 3.

### *Stage 3 Assessment where no Alternatives and impacts remain*

- Identify 'imperative reasons of overriding public interest' (IROPI)
- Identify/ develop potential compensatory measures

4.2. Stafford Borough Council has carried out Stage 1 Screening on the draft High Offley NP.

4.3. There are 6 European sites in Stafford Borough which may be affected by policies in the draft High Offley NP:

- Cop Mere RAMSAR
- Aqualate Mere RAMSAR
- Motte Meadows SAC
- Cannock Chase SAC
- Chartley Moss SAC
- Pasture fields Salt Marsh SAC

4.4. The PFSB was subject to a full Habitats Regulations Assessment (HRA) including appropriate assessment and identification of mitigation measures. Some of the possible effects identified in the HRA, which relate to the sites above include: water quality deterioration, eutrophication, air pollution, surface water run-off, nitrogen deposition, and increased visitor pressure.

- 4.5. In light of the HRA it is considered the draft High Offley NP does not propose anything which departs from the strategy set out in the PFSB. The PFSB contains a number of policies which aim to protect the SACs integrity and address water quality issues. These policies include Policy N5 - Sites of European, National and Local Nature Conservation Importance; Policy N6 - Cannock Chase Special Area of Conservation (SAC); and Policy N7 - Cannock Chase AONB.
- 4.6. The HRA carried out on the PFSB concluded that implementation of the Plan would not result in likely significant or in combination effects. As a result the Council does not consider that implementation of the draft High Offley NP would result in likely significant or in combination effects on Natura 2000 sites.

#### **HRA Stage 1 Screening Outcome**

- 4.7. As a result of the assessment above, it is considered unlikely that any significant environmental effects will occur from the implementation of the draft High Offley NP that were not considered and dealt with by the Habitats Regulation Assessment carried out on the PFSB. As such the draft High Offley NP does not require a further HRA work to be undertaken.

## **5. Consultation**

- 5.1. The National Planning Practice Guidance advises that the local planning authority should consult with the relevant statutory consultation bodies. These are the Environment Agency, Natural England and Historic England whose responsibilities cover the environmental considerations of the Regulations to ensure all key environmental issues have been considered.
- 5.2. This assessment has been circulated to the above agencies. After receiving a response from all the consultees, their response will be added to this assessment and can be found in Appendix 3.

**Appendix 1: The Characteristics of the Neighbourhood Plan, having regard to:**

	<b>Likely significant environmental effect?</b>	<b>Stafford Borough Council Assessment</b>
<b>a) The degree to which the Neighbourhood Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</b>	No	<p>The NP sets out a vision and overall strategy to help shape future development within High Offley Parish including the settlement of Woodseaves. A number of planning policies have been formulated to help deliver the vision. These policies seek to deliver new housing, tourism &amp; leisure, local green space, telecommunications and employment together traffic and parking matters. In addition housing, telecommunications and canal based mooring sites are allocated in the Plan.</p> <p>Approximately 24 new houses are proposed in the Neighbourhood Plan (with 30 approved since 2011) including 19 new homes within the Woodseaves defined settlement boundary.</p> <p>It is not considered that the policies and proposals in the NP will have a significant environmental effect.</p>
<b>b) The degree to which the Neighbourhood Plan influences other plans and programmes including those in a hierarchy.</b>	Yes	<p>The draft NP is required to conform to national policy (NPPF) and strategic policies stipulated in the PFSB. The draft NP, if made, will form part of the Development Plan for Stafford Borough and will be used to determine planning applications within the Parish.</p>
<b>c) The relevance of the Neighbourhood Plan for the integration of environmental considerations in particular with a view to promoting sustainable development.</b>	Yes	<p>The NP seeks to provide new housing within the defined settlement boundary and across the rural area to enable local people to stay in the Parish over the plan period and beyond.</p> <p>The plan encourages new employment and business uses to suit the local demographic profile and skills base of High Offley.</p>

		It is considered the draft NP will have a positive effect on the environment as it seeks to provide a range of new uses, as well as supporting new local green space.
<b>d) Environmental problems relevant to the Neighbourhood Plan.</b>	No	The draft NP area is not located within a sensitive natural landscape of international or national designations but does contain floodplain areas.  There are no Air Quality Management Areas in Stafford Borough which includes the Parish of High Offley.
<b>e) The relevance of the Plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</b>	No	The NP is not proposing development specifically related to waste management or water management.

**Appendix 2 Characteristics of the effects and of the area likely to be affected, having regard in particular to:**

	<b>Likely significant environmental effect?</b>	<b>Stafford Borough Council Assessment</b>
<b>a) The probability, duration, frequency and reversibility of the effects.</b>	No	<p>There will no doubt be changes to the land use within High Offley Parish. This will largely be concentrated within the Woodseaves settlement boundary. The proposed developments set out in the plan are expected to carry positive socio-economic benefits for the local community within High Offley Parish.</p> <p>Such proposals for development will be subject to meeting the requirements of policies set out in the PFSB in particular SP7, N1, N2, N4, N5 and N7.</p> <p>It is considered unlikely that any detrimental environmental impacts will occur from the proposals and the policies contained in the NP.</p>
<b>b) The cumulative nature of the effects of the Plan.</b>	No	<p>It is not expected any accumulative effects of the NP proposals and policies will lead to negative impacts, but result in positive impacts that will affect the Parish.</p>
<b>c) The trans-boundary nature of the effects of the Plan.</b>	No	<p>There are not expected to be any significant trans-boundary effects as new development is designated within the settlement boundary of the Neighbourhood Plan area. It is expected that the local population will utilise the Shropshire Union Canal but this will not lead to negative effects.</p>
<b>d) The risks to human health or the environment (e.g. due to accidents).</b>	No	<p>There are no significant effects to human health. The NP seeks to increase connectivity and accessibility through well designed and safe housing developments alongside increased open space provision. These benefits are considered to help increase recreation and healthy lifestyles.</p>

<p><b>e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the Plan.</b></p>	<p>No</p>	<p>Approximately 24 new houses are proposed in the Neighbourhood Plan (with 30 committed) within the defined Woodseaves settlement boundary and across the rural area.</p> <p>The proposed housing developments are expected to change the land use within the Parish.</p> <p>New housing provision will be developed within the defined Woodseaves settlement boundary, but adjacent to existing residential areas, and highway networks across rural areas. Therefore the impacts from proposed developments are not considered to be detrimental.</p>
<p><b>f) The value and vulnerability of the area likely to be affected by the Plan due to:</b>  <b>(i) Special natural characteristics or cultural heritage;</b>  <b>(ii) Exceeded environmental quality standards or limit values; or</b>  <b>(iii) Intensive land use and</b></p>	<p>No</p>	<p>The NP includes sites of environmental and heritage importance, including Loynton Moss Site of Special Scientific Interest (SSSI).</p> <p>The Shropshire Union Canal and towpath are designated as a Conservation Area and falls within the NP area. The NP does not propose new development adjacent to the Conservation Area.</p> <p>Policy N8 in the PFSB ensures development proposals are sympathetic to the landscape character and environment.</p> <p>Proposals and policies of the NP seek to provide new housing that will meet the local needs of the Parish. It is not expected that this will result in the loss of locally important open space.</p>
<p><b>g) The effects of the Plan on areas or landscapes which have recognised national, community or international protection status.</b></p>	<p>No</p>	<p>Policy N4, N5 and N6 of the PFSB protect sites of European importance, the natural environment and green infrastructure.</p> <p>It is not expected that the NP policies and proposals will have an adverse effect on these areas, with new Local Green Space areas identified.</p>

### **Appendix 3: Responses from Statutory Consultees.**

Mr Alex Yendole  
Stafford Borough Council  
Civic Centre  
Riverside  
Stafford  
Staffordshire  
ST16 3AQ

**Our ref:** UT/2006/000313/SE-  
05/DS1-L01  
**Your ref:** Screening Assessment  
**Date:** 01 October 2018

Dear Mr Yendole

### **High Offley Parish Neighbourhood Plan SEA Screening Report**

Thank you for your email which was received on 19 September 2018.

As requested we have reviewed the Screening Assessment prepared in support of the High Offley Parish Neighbourhood Plan. Having reviewed the proposals we do not consider there to be significant environmental impacts as a result of this plan, therefore we concur with the conclusions of the report and do not require a SEA/SA to be undertaken in support of the plan.

We note the presence of floodplain from the Lonco Brook and its tributaries within the Neighbourhood Plan boundary, however as this does not affect the settlement boundary we have no concerns.

If you have any queries contact me on the details below.

Yours sincerely

**Ms Anne-Marie McLaughlin**  
**Planning Advisor**

Direct dial 020 3025 4111  
Direct e-mail [anne-marie.mclaughlin@environment-agency.gov.uk](mailto:anne-marie.mclaughlin@environment-agency.gov.uk)

Environment Agency  
9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.  
Customer services line: 03708 506 506  
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End



Historic England

WEST MIDLANDS OFFICE

Mr Alex Yendole  
Stafford Borough Council  
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Riverside  
Stafford  
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Our ref: PL00482165

23 October 2018

Dear Mr Yendole

### **HIGH OFFLEY NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING**

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required. Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: [<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

Peter Boland  
Historic Places Advisor  
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cc:



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Date: 26 October 2018  
Our ref: 259134  
Your ref: High Offley (Woodseaves) Neighbourhood Plan



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**BY EMAIL ONLY**

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Dear Mr. Yendole,

**High Offley Neighbourhood Plan & Screening Assessment**

Thank you for your consultation request on the above dated and received by Natural England on 19<sup>th</sup> September 2018.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on this screening assessment.**

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sharon Jenkins  
Consultations Team